

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MIGUEL A. BELTRE, An Infant Under the Age of  
Fourteen Years, By His Mother and Natural  
Guardian, JACKELINE BELTRE, and  
JACKELINE BELTRE, Individually

Plaintiffs,

- against -

UNITED STATES OF AMERICA, ARUNA  
MISHRA, M.D., TAPTI PANDA, M.D.,  
SAMANTHA RAWLINS, M.D., and BRONX  
LEBANON HOSPITAL CENTER,

Defendants.

**VERIFIED ANSWER AS TO  
TAPTI PANDA, M.D.**

Case No.: 07 Civ 6930

Judge Kram

\_\_\_\_\_  
Defendant, TAPTI PANDA, M.D., by her attorneys, AARONSON RAPPAPORT  
FEINSTEIN & DEUTSCH, LLP, as and for her Verified Answer to plaintiffs' Verified  
Complaint, respectfully shows to this Court and alleges upon information and belief:

1. Denies the knowledge or information sufficient to form a belief as to the truth of allegations contained in paragraphs "2", "6", "7", "12", "13", "19", "20", "25", "26", "39", "41", "43", "47", "49" and "51".
2. Denies the allegations contained in paragraphs "11", "24", "35", "36", "37", "40", "42", "44", "45", "46", "48", and "50" in the form alleged and respectfully refers to the hospital records for the specifics of the patient's treatment thereat.
3. Denies the allegations contained in paragraphs "34", "52", "53", "54", "55", "56", "57", "58" and "59".
4. Denies the allegations contained in paragraphs "3", "9", "10", "14", "15", "16" and "17" in the form alleged and respectfully refers all questions of law to this Honorable Court.

5. Denies the allegations contained in paragraphs "22" and "23" except admit that SAMANTHA RAWLINS, M.D. was a duly licensed physician in the State of New York.

6. Denies the allegations contained in paragraphs "27", "28", "29", "30", "31", "32" and "33" except admit that BRONX-LEBANON HOSPITAL CENTER was a fully accredited hospital in the State of New York.

**AS AND FOR A FIRST AFFIRMATIVE DEFENSE**

7. The liability of the answering defendant, if any, is limited pursuant to CPLR Article 16.

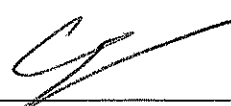
**AS AND FOR A SECOND AFFIRMATIVE DEFENSE**

8. An action concerning the same allegations of fact and law is pending in State Court.

WHEREFORE, defendant, TAPTI PANDA, M.D., demands judgment dismissing the Complaint, together with the costs and disbursements of the within action.

Dated: New York, New York  
August 22, 2007

Yours, etc.

  
BY: Steven Z. Kronovet  
AARONSON RAPPAPORT FEINSTEIN &  
DEUTSCH, LLP  
Attorneys for Defendant  
TAPTI PANDA, M.D.  
Office & P.O. Address  
757 Third Avenue  
New York, NY 10017  
212-593-6700

**ATTORNEY'S VERIFICATION**

UNITED STATES DISTRICT )  
COURT

ss:

SOUTHERN DISTRICT OF NEW )  
YORK

Steven Z. Kronovet, being duly sworn, deposes and says:

That I am a member in the firm of attorneys representing the defendant TAPTI  
PANDA, M.D.

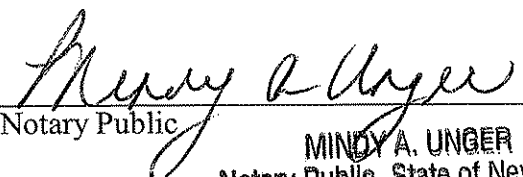
That I have read the attached **Answer** and the same is true to my own belief,  
except as to matters alleged on information and belief, and as to those matters, I believe them to  
be true to the best of my knowledge.

My sources of information are a claims file containing statements, reports and  
records of investigation, investigators, parties and witnesses, with which I am fully familiar.

That this verification is made by me because my client does not reside within the  
county where I maintain my office.

  
\_\_\_\_\_  
Steven Z. Kronovet

Sworn to before me this  
22<sup>nd</sup> day of August, 2007

  
\_\_\_\_\_  
Notary Public  
MINDY A. UNGER  
Notary Public, State of New York  
No. 31-4719644  
Qualified In New York County  
Commission Expires June 30, 2010